

**SUBSTITUTE AMENDMENT TO COMMITTEE PRINT**  
**OF**  
**JUNE 3, 1997**

**OFFERED BY MR. TAUZIN**

**[Minimum recovery for public]**

Page 6, after line 6, insert the following new paragraph:

1           (4) MINIMUM RECOVERY FOR PUBLIC RE-  
2       QUIRED.—Notwithstanding paragraph (1), if the  
3       competitive bidding conducted with respect to the  
4       frequencies required to be assigned by competitive  
5       bidding under paragraph (1) does not produce ag-  
6       gregate winning bids totaling two-thirds of  
7       \$7,500,000,000 or more, the Commission shall (A)  
8       void the competitive bidding, and (B) refrain from  
9       assigning licences pursuant to that bidding. Nothing  
10      in this paragraph shall preclude or limit the Com-  
11      mission from assigning such frequencies by competi-  
12      tive bidding at such later date as the Commission  
13      determines, in its discretion, will better attain the  
14      objectives of recovering for the public a fair portion  
15      of the value of the public spectrum resource and  
16      avoiding unjust enrichment.

Page 10, after line 13, insert the following new subparagraph (and redesignate the succeeding subparagraph accordingly):

1                   “(C) MINIMUM RECOVERY FOR PUBLIC RE-  
2                   QUIRED.—Notwithstanding subparagraph (B),  
3                   if the competitive bidding conducted with re-  
4                   spect to the frequencies required to be assigned  
5                   by competitive bidding under subparagraph (B)  
6                   does not produce aggregate winning bids total-  
7                   ing two-thirds of \$4,000,000,000 or more, the  
8                   Commission shall (i) void the competitive bid-  
9                   ding, and (ii) refrain from assigning licences  
10                  pursuant to that bidding. Nothing in this sub-  
11                  paragraph shall preclude or limit the Commis-  
12                  sion from assigning such frequencies by com-  
13                  petitive bidding at such later date as the Com-  
14                  mission determines, in its discretion, will better  
15                  attain the objectives of recovering for the public  
16                  a fair portion of the value of the public spec-  
17                  trum resource and avoiding unjust enrichment.

Page 12, after line 18, insert the following new subsection (and redesignate the succeeding subsection accordingly):

1       “(d) MINIMUM RECOVERY FOR PUBLIC REQUIRED.—  
2   Notwithstanding subsections (a) and (b), if the competi-  
3   tive bidding conducted with respect to the frequencies re-  
4   quired to be assigned by competitive bidding under this  
5   section does not produce aggregate winning bids totaling  
6   two-thirds of \$1,900,000,000 or more, the Commission  
7   shall (1) void the competitive bidding, and (2) refrain from  
8   assigning licences pursuant to that bidding. Nothing in  
9   this subparagraph shall preclude or limit the Commission  
10   from assigning such frequencies by competitive bidding at  
11   such later date as the Commission determines, in its dis-  
12   cretion, will better attain the objectives of recovering for  
13   the public a fair portion of the value of the public spec-  
14   trum resource and avoiding unjust enrichment.